

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Plaintiff,

v.

BARCLAYS BANK (SUISSE) S.A., CAIXABANK
S.A., as successor in interest to Barclays Bank S.A., and
ZEDRA TRUST COMPANY (JERSEY) LIMITED
(f/k/a Barclays Private Bank & Trust Limited),

Defendant.

Adv. Pro. No. 11-02569 (CGM)

**ORDER DENYING THE BARCLAYS DEFENDANTS'
MOTION TO DISMISS THE COMPLAINT**

The motion to dismiss the Complaint under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(6) (the “**Motion**”) filed by Barclays Bank (Suisse) S.A., Caixabank S.A., as successor in interest to Barclays Bank S.A., and Zedra Trust Company (Jersey) Limited (f/k/a

Barclays Private Bank & Trust Limited) (collectively, the “**Barclays Defendants**”) came on for hearing before the Court on June 15, 2022 (the “**Hearing**”). The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, the Complaint, and the statements of counsel at the Hearing, and the Court has issued a memorandum decision, dated July 15, 2022, regarding the Motion (the “**Decision**”). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is denied.
2. The deadline for the Barclays Defendants to file an answer to the Complaint is October 31, 2022.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: July 21, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge